

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAVID G. OPPENHEIMER,

Plaintiff,

v.

eXP REALTY LLC,

Defendant.

CASE NO. 2:21-cv-01304-RAJ-BAT

**ORDER SETTING PRETRIAL
SCHEDULE**

This case has been referred to the undersigned United States Magistrate Judge for all pretrial proceedings. The Court has reviewed the parties' Joint Status Report and Discovery Plan (Dkt. 16) and issues the following pretrial schedule:

Event	Date
Deadline for joining additional parties	July 29, 2022
Deadline for amending pleadings	August 3, 2022
Proposed protective order is due by	September 1, 2022
All motions related to written discovery must be noted for consideration no later than	January 9, 2023
Written Discovery to be completed by	February 10, 2023
All motions related to written discovery must be noted for consideration no later than	March 7, 2023
Oral Discovery to be completed by	April 7, 2023

1	Reports of expert witnesses per FRCP 26(a)(2) due	June 16, 2023
2	Reports of rebuttal expert witnesses per FRCP 26(a)(2)	July 14, 2023
3	Expert Depositions must be completed by	September 15, 2023
4	All dispositive motions must be filed pursuant to CR 7(d)	October 20, 2023
5	All <i>Daubert</i> motions must be filed by (same as dispositive)	October 20, 2023
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7		

8 This order sets firm dates that can be changed only by order of the Court, not by
9 agreement of counsel for the parties. The Court will alter these dates only upon good cause
10 shown. Failure to complete discovery within the time allowed is not recognized as good cause.
11 If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal
12 holiday, the act or event shall be performed on the next business day.

13 TRIAL DATE

14 A trial date will be set by the assigned District Judge, the Honorable Richard A. Jones.

15 DISCOVERY AND COOPERATION

16 As required by CR 37(a), all discovery matters are to be resolved by agreement if
17 possible.

18 FINDINGS OF FACT AND CONCLUSIONS OF LAW

19 The parties are encouraged to work together on proposed findings of fact and conclusions
20 of law. On or before the deadline for filing proposed findings and conclusions the parties shall
21 email their proposed findings and conclusions in Word format to
22 tsuchidaorders@wawd.uscourts.gov.

23 PRIVACY POLICY

1 Under LCR 5.2(a), parties must redact the following information before a pleading or
2 exhibit is filed with the Court:

- 3 * Dates of Birth – redact to the year of birth, unless deceased.
- 4 * Names of Minor Children – redact to the initials, unless deceased or currently over the
age of 18.
- 5 * Social Security or Taxpayer ID Numbers – redact in their entirety
- 6 * Financial Accounting Information – redact to the last four digits.
- 7 * Passport Numbers and Driver License Numbers – redact in their entirety.

8 **MEDIATION AND SETTLEMENT**

9 The parties indicate they have engaged in settlement discussions and have not requested
10 this case be designated for mediation under CR 39.1(c). Mediation and settlement are governed
11 by the rule; under the rule the parties must normally first retain an individual to mediate or settle
12 the case. If it is not feasible for the parties to retain such an individual, the parties may request
13 the Court to appoint a *pro bono* mediator. Referring the case to a magistrate judge for settlement
14 hearing normally occurs if the parties have unsuccessfully attempted to settle the case under CR
15 39.1 and the assigned District Judge also concludes it would be appropriate to make such a
referral.

16 If the case settles, Plaintiff's counsel shall notify Andy Quach at (206) 370-8421 or via
17 e-mail at: Andy_Quach@wawd.uscourts.gov, as soon as possible. Pursuant to CR11(b), an
18 attorney who fails to give the Deputy Clerk prompt notice of settlement may be subject to such
19 discipline as the Court deems appropriate.

20 DATED this 8th day of July, 2022.

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BRIAN A. TSUCHIDA
23 United States Magistrate Judge